IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ Petition No. 878(S/S)2007

Archna Rawat W/o Sri Rajendra Kumar Rawat,
Assistant Teacher, Junior High School, Kalri,
Vikas Khand Birokhal, Pauri Garhwal,
Uttarakhand. -----Petitioner.

Vs.

1. State of Uttarakhand through Secretary Education, Dehradun,
2. Director of Education Uttarakhand, Dehradun,
3. District Education Officer, Pauri Garhwal, Pauri.

------Respondents.

Sri V.B.S. Negi, learned Counsel for the petitioner and
Sri Paresh Tripathi, learned Standing Counsel for the State of Uttarakhand.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Vikas Pandey, Adv. holding brief of Sri V.B.S. Negi, learned Counsel for the petitioner and Paresh Tripathi, learned Brief Holder for State of Uttarakhand/respondents.

By means of this writ petition, the petitioner has challenged the transfer order dated 05.06.2007 (annexure no. 5) passed by District Education Officer Pauri Garhwal, Pauri/ respondent no. 3, so far as it relates to the petitioner by which, the petitioner who is working as Asstt. Teacher (Science)in Girls Junior High School, Umrikhal, Vikas Khand Dugadda has been transferred to Girls Junior High School, Dabrar, Vikas Khand Rikhanikhal.

The petitioner has challenged the impugned transfer order on the ground that there are 6 teachers working in the present Institution out of which one Headmaster, three

Assistant Teachers General and two Assistant Teachers Science are working. One Smt. Sumitra Binjola, who is also working as Science Teacher in this School, was transferred on 04.11.1999 and again on 30th June 2001 vide order passed by District Education Officer, Pauri Garhwal but she did not join at the transferred place moreover; by the impugned order the petitioner has been transferred to Dabrar to give undue benefit to Smt. Binjola who was transferred twice but she did not join at new place of her posting.

The petitioner may prefer representation before the District Education Officer, Pauri Garhwal/respondent no. 3 raising all her grievances within a period of one week from today. And in case, the petitioner complies with the orders of this Court, the District Education Officer, Pauri Garhwal is directed to take decision on the representation of the petitioner within a period of two weeks from the date of production of a certified copy of this order alongwith the representation. Till the representation is decided by the respondent no. 3 or till 10th August 2007, whichever is earlier, the petitioner shall not be relieved from her present place of posting.

With these directions, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

July 13, 2007:
NCM: